

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

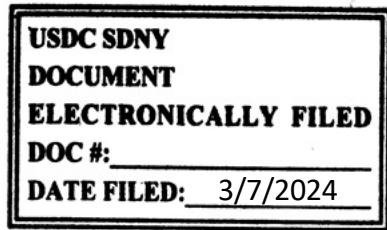
Juan Cheng et al.,

Plaintiffs,

-against-

Zhang Medical, P.C. et al.,

Defendants.



1:21-cv-06682 (MMG) (SDA)

ORDER

STEWART D. AARON, United States Magistrate Judge:

WHEREAS, on January 20, 2023, the Court issued an Order extending fact discovery for a limited purpose and the deadline to complete expert discovery, providing that “[n]o further extensions of the foregoing deadlines will be granted absent exigent circumstances[.]” (1/20/23 Order, ECF No. 87); and

WHEREAS, on May 25, 2023, Plaintiffs sought an extension of time to complete expert discovery due to exigent circumstances and given the exigent circumstances described therein, Court granted the extension to complete expert discovery (Pls.’ 5/25/23 Ltr., ECF No. 96; 5/25/23 Order, ECF No. 97); and

WHEREAS, on June 6, 2023, Defendants filed a letter motion, with Plaintiffs’ consent, requesting an extension of time to complete discovery in light of Defendant Zhang Medical, P.C., filing for bankruptcy and seeking a stay of litigation (the “Bankruptcy Stay”) (Defs.’ 6/20/23 Ltr. Mot., ECF No. 98; and

WHEREAS, on June 21, 2023, the Court scheduled a telephone conference regarding Defendants’ 6/20/23 Letter Motion to take place on June 26, 2023 (6/21/23 Scheduling Order, ECF No. 99); and

WHEREAS, on June 26, 2023, the Court held a telephone conference to discuss Defendants' 6/20/23 Letter Motion and issued an Order for the parties to file a joint letter apprising the Court on whether the Bankruptcy Stay has been lifted and to propose a schedule for the completion of expert discovery (6/26/23 Order, ECF No. 101); and

WHEREAS, on July 7, 2023, and in accordance with the Court's 6/26/23 Order, the parties filed a joint letter apprising the Court that the Bankruptcy Stay had not yet been lifted and as a consequence, did not provide a schedule for the completion of expert discovery (7/7/23 Ltr., ECF No. 102); and

WHEREAS, since July 2023, the Court issued multiple Orders for the parties to continue to apprise the Court on the status of the Bankruptcy Stay and the parties filed status reports accordingly (*see* 7/10/23 Order, ECF No. 103; 8/31/23 Ltr., ECF No. 104; 9/1/23 Order, ECF No. 105; 10/2/23 Status Report, ECF No. 106; 10/3/23 Order, ECF No. 107; 12/1/23 Ltr. Motion, ECF No. 110 (requesting extension to file status letter), 12/1/23 Order, ECF No. 111 (granting extension); 12/15/23 Status Report, ECF No. 112; 12/18/23 Order, ECF No. 113; 12/21/23 Status Report, ECF No. 114; 12/22/23 Order, ECF No. 115; 1/19/24 Order, ECF No. 116 (directing parties to file belated status report); 1/31/24 Status Report, ECF No. 117); and

WHEREAS, on February 1, 2024, the Court issued an Order for the parties to file another status report regarding the Bankruptcy Stay (2/1/24 Order, ECF No. 118); and

WHEREAS, this matter was reassigned from District Judge Koeltl to District Judge Garnett (2/16/24 ECF Entry, Notice of Case Reassignment; 2/20/24 Notice of Reassignment, ECF No. 119); and

WHEREAS, on February 20, 2024, District Judge Garnett issued an Order providing that “all prior orders, dates, and deadlines shall remain in effect notwithstanding the case’s reassignment, including Judge Koeltl’s directive to file a joint status report to the undersigned and Magistrate Judge Aaron no later than March 8, 2024” (2/20/24 Notice of Reassignment); and

WHEREAS, on March 6, 2024, the parties filed a status report apprising the Court that the Bankruptcy Stay has been lifted.

NOW, THEREFORE, it is hereby **ORDERED**, that, no later than March 15, 2024, the parties shall meet-and-confer and file a joint letter apprising the Court on the status as follows:

1. providing a date by which the parties propose to complete expert discovery; and
2. stating whether the parties would like to schedule a settlement conference before Magistrate Judge Aaron, and if so, providing four mutually agreeable dates for such conference and whether the parties prefer to have the conference remotely or in-person.

SO ORDERED.

Dated: New York, New York
March 7, 2024



STEWART D. AARON
United States Magistrate Judge